

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

DERRICK BRADFORD,

Plaintiff(s),

CASE NUMBER:06-14140

HONORABLE VICTORIA A. ROBERTS

v.

JOSEPH CHAPELLO,

Defendant(s).

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**ORDER ADOPTING REPORT AND RECOMMENDATION**

On August 3, 2007, Magistrate Judge Mona K. Majzoub submitted a Report and Recommendation [**Doc. 23**] recommending that the Court dismiss Plaintiff's Complaint pursuant to 28 U.S.C. §1915A(b)(1) because Plaintiff failed to state a claim upon which relief may be granted. Because the Court has not received objections from either party within the time frame provided for in 28 U.S.C. § 636(b)(1) and E.D. Mich.LR72.1(d)(3), the Court will adopt the Magistrate Judge's Report and Recommendation. Plaintiff's Complaint is **DISMISSED** pursuant to 28 U.S.C. §1915A(b)(1).

Defendant Chapello's Motion to Dismiss under 42 U.S.C. §1997e(a) for Failure to Exhaust Administrative Remedies and Plaintiff's Objections to Magistrate[']s Order Denying the Appointment of Counsel are deemed **MOOT**.

**IT IS SO ORDERED.**

s/Victoria A. Roberts

Victoria A. Roberts

United States District Judge

Dated: December 10, 2007

The undersigned certifies that a copy of this document was served on the attorneys of record and Derrick Bradford by electronic means or U.S. Mail on December 10, 2007.

s/Linda Vertriest

Deputy Clerk